

IN THE DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

FILED  
RICHARD W. NAGEL  
CLERK OF COURT

2022 MAY 20 AM 10:09

U.S. DISTRICT COURT  
SOUTHERN DIST. OHIO  
EAST DIV. COLUMBUS

TINA MOORE,  
Plaintiff,

v.

NATIONWIDE CHILDREN'S  
HOSPITAL,  
Defendant.

:  
:  
:  
:  
:  
:  
:

CASE NO. 2:22-cv-01961-MHW-EPD

DISTRICT JUDGE: MICHAEL H.  
WATSON

MAGISTRATE JUDGE: ELIZABETH  
PRESTON DEAVERS

---

PLAINTIFF'S RESPONSE TO DEFENDANT'S MOTION TO DISMISS

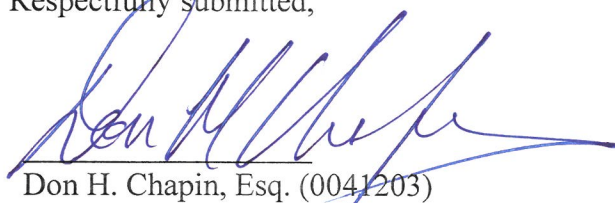
---

Plaintiff Tina Moore filed her Complaint in Franklin County Court of Common Pleas on April 12, 2022 seeking relief in the form of a temporary injunction based upon the Plaintiff's prior-existing complaint filed with the Cleveland Office of the Equal Employment Opportunity Commission. Mediator Deanna R. Jackson of the Cleveland Office of the EEOC ([deanna.jackson@eeoc.gov](mailto:deanna.jackson@eeoc.gov); 216.306.1117), has set this EEOC charge # 532-2022-01761, on for a course of mediation but Nationwide Children's Hospital (defendant) has not responded yet. The Plaintiff's complaint for a temporary injunction filed originally in Franklin County Ohio Court of Common Pleas, was solely purposed to prevent NCH from taking any action at all against the Plaintiff until AFTER THE EEOC HAD RENDERED ITS DECISION OR RULING. There was NO FEDERAL QUESTION to be decided. The Defendant's removal of this action to Federal jurisdiction was an abuse of process and created an unnecessary burden on this Federal Court.

Since the Defendant took retaliatory ACTION Against the Plaintiff and terminated her employment before the EEOC decision has been rendered, **the plaintiff withdraws her complaint for a temporary injunction because the issue is moot.**

Plaintiff's counsel begs this Court's discretion because although plaintiff's counsel successfully passed the Federal Bar exam in 1990, he has not spent 1 minute practicing in the Federal jurisdiction. That is why we told the Judge's office in mid-April that plaintiff's counsel was not adequately experienced in this Court to properly represent the Plaintiff. However, considering the ORDER issued by Magistrate Judge Elizabeth Preston Deavers on May 19, 2022, we felt compelled to reply and submit a response before May 23<sup>rd</sup>, 2022.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Don H. Chapin", with a long horizontal flourish extending to the right.

Don H. Chapin, Esq. (0041203)  
8558 Morris road  
Hilliard, Ohio 43026  
Tel. (614) 790-0060  
Email: [donc0725@gmail.com](mailto:donc0725@gmail.com)

*Counsel for Plaintiff*

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the above was filed personally on May 20, 2022. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system or by personal delivery. Parties may access this filing through the Court's system. A copy will also be served by electronic mail to the following:

Defendant's Attorney : Daniel J. Clark, Vorys, Sater, Seymour and Pease LLP  
52 East Gay Street | Columbus, Ohio 43215

Direct: 614.464.6436

Fax: 614.719.4650

Email: [djclark@vorys.com](mailto:djclark@vorys.com)

[www.vorys.com](http://www.vorys.com)



Don H. Chapin, Esq.  
8558 Morris Rd.  
Hilliard, OH 43026  
[Donc0725@gmail.com](mailto:Donc0725@gmail.com)